

Court of Appeals, State of Michigan

ORDER

People of MI v Michael Brian Berry

Docket No. 256446

LC No. 2004-194320-FH

Mark J. Cavanagh
Presiding Judge

Kathleen Jansen

Pat M. Donofrio
Judges

The Court orders that the motion to waive fees is GRANTED for this appeal only.

The Court orders that defendant's request for remand for the appointment of appellate counsel is GRANTED. Within 21 days of the Clerk's certification of this order, the trial court shall appoint substitute appellate counsel to represent defendant-appellant in this appeal.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court appointing substitute counsel.

The Court further orders that upon the appointment of substitute counsel, no motion for withdrawal or substitution of appointed counsel may be filed in the trial court without leave of this Court. MCR 7.208(G).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 28 2005

Date

Sandra Schultz Mengel
Chief Clerk